

REMARKS***Claim Rejections - 35 USC § 102 and 103***

Applicant's independent claim 1 is amended to specify that the
5 photographic images are saved based on detecting an actual
discharge of live ammunition from the firearm toward the target,
"in combination with stored data from a user of said method
specifying timing relative to discharge, of photographic images
which are to be saved."

10 Independent claim 9 is amended to specify "a timing control
computer for receiving a firing signal from said discharge
detecting means indicating that said actual discharge has occurred"
as well as the saving of images "responsive to said timing control
computer, based on said firing signal, in combination with stored
15 data from a user of said apparatus specifying timing relative to
discharge, of photographic images which are to be saved."

All three of the references cited under 35 U.S.C. 102 (b)
pertain to taking a photograph immediately as the firearm is
discharged. Applicant's invention, as clearly disclosed, and as
20 recited in the claims as amended, enables the user of the apparatus
to choose precisely in relation to the time of firing, which
photographs are to be saved. This means, for example, as is
clearly disclosed by applicant, that that the user can specify that
a photograph be taken at the moment of *impact* of the ammunition
25 with the target. None of the three patent cited under 35 U.S.C.
102 (b) discloses or suggests doing this. None discloses or
suggests *how* to do this. And, the measures needed to achieve this

capability are not at all obvious from any of these three patents alone or in combination with all the prior art of record including the additional patents cited in combination under 35 U.S.C. 103(a).

Thrasher, column 1, lines 4-7, states: "The *primary* object of
5 the invention is . . . taking a picture, *when the firearm is discharged*, of the object fired at." To reinforce that this is limited to taking a picture only at the moment of discharge and that nothing beyond this is envisioned, it is stated in column 1, lines 11-14, that this invention "operates automatically upon
10 discharge of the firearm with the result that the picture taken by the camera will reveal the *aiming errors and faults of the firearm user*."

Sonne, column 1, lines 3-10, makes clear this same limitation in capability, stating that the camera is "affixed to a gun to
15 photographically record its *aim at the moment of discharge*. . . . Such a device, while useful in the development of good marksmanship, will find its greatest advantage in connection with military training. Again, it is clear that being able to specify the precise timing of photograph to be saved in relation to the
20 time of discharge is not at all envisioned.

Ryan, similarly is "an apparatus for shooting a camera *at the precise moment that an arrow is shot from a bow*," see column 1m lines 41-43.

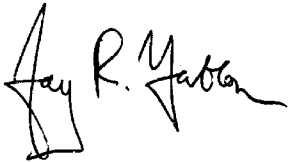
It is clear that none of these patents can record a photograph
25 at the moment of impact with the target, or in general, based on "stored data from a user . . . specifying timing relative to discharge, of photographic images which are to be saved." All are

slavishly tied to record their images at the exact moment of firing, and there is nothing which discloses or suggests a) taking pictures at any time other than the precise time of firing or b) how one might take pictures at any time other than the precise time
5 of firing.

CONCLUSION

As a consequence of the foregoing, having overcome all grounds of rejection, applicant looks forward to receiving a notice of
10 allowance in the near future.

Respectfully submitted,

A handwritten signature in black ink, reading "Jay R. Yablon". The signature is written in a cursive, flowing style. The first name "Jay" is written with a large, stylized "J". The last name "Yablon" is written with a large, stylized "Y". The signature is enclosed in a rectangular box.

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